

REMARKS

Independent claims 1, 28, 31, 38, 41-44, 53, and 56 stand rejected under either 35 USC 102 over Hendricks or 35 USC 103 over Hendricks in combination with Netrino. Applicants have overcome these rejections by amending claims 1, 28, 31, 38, 41-44, 53, and 56. The amended independent claims include features exemplified by claim 1. Claim 1 includes the features of a data stripper for extracting a meta data parameter from a data signal wherein the extracted parameter is a priority level parameter, a geographical region parameter, or a unique processor identification parameter; an evaluator for comparing the extracted parameter to one or more predetermined meta data parameter values; and an inserter for inserting one or more of the predetermined meta data parameter values into the data signal based on the evaluator comparison. No such system is described by Hendricks or Netrino.

Hendricks describes a network controller for use with a digital cable headend capable of monitoring and controlling set top terminals. Applicants submit that Hendricks fails to disclose the data stripper as described in the claims. In the Action, the Examiner stated that Hendricks shows a data stripper adapted to separate an incoming signal into a video data component and a meta data component. In support of the rejection, the Examiner cited Fig. 6a (demux 242) and col. 21, lines 45-50. The cited portion of Hendricks states that the demultiplexer splits each cable TV signal into its respective video and audio signal components and “extracts data” from the cable television signals and inputs the data to the control CPU. However, Hendricks does not teach or in any way suggest the content of the extracted data. Hendricks only discloses that a demultiplexer sends received data to a control CPU and that the CPU controls insertion of local programming and advertisements. Hendricks also does not teach how this data might be used to control localized content. Hendricks completely fails to show the claimed meta data parameters including a priority level parameter, a geographical region parameter, or a unique processor identification parameter. Because Hendricks does not disclose the extraction of these meta data parameters, Hendricks also

cannot disclose the comparison of those parameters to predetermined meta data parameter values or the insertion of a predetermined meta data parameter into a data signal.

In the Action at p. 14, the Examiner stated that Hendricks at col. 29, lines 30-42, discloses the use of a geographical region parameter. (The Examiner did not state in the Action that either Hendricks or Netrino disclose a priority level parameter or a unique processor identification parameter.) Applicants respectfully submit that Hendricks does not disclose a geographical region parameter. The portion of Hendricks cited by the Examiner states that:

Regional operator control stations...may be used and may include multiple operator control stations each assigned to a particular subscriber region corresponding to a geographic region where set top terminals...are located. Thus, each regional operator control station is assigned to a subscriber region, providing monitoring and control capabilities over such regions. All regional program control information is transferred to the network controller CPU 224 for processing, as in the case where a single control station 234 is used. Likewise, during this processing, portions of the network control databases 226 may also be updated.

Applicants understand that Hendricks is generally directed to regionally tailored programming and that, according to Hendricks, some operations can be performed at a regional level. However, Applicants submit that Hendricks does not teach or suggest any way to perform such an operation using meta data parameters. The concept of operating at a regional level does not teach the extraction and comparison of a geographical region parameter or any other parameter in connection with the insertion of one or more predetermined meta data parameters.

The second reference cited by the Examiner, Netrino, also fails to teach these claimed features. Netrino simply describes the ATVEF enhanced television standard and the requirements for designing ATVEF-compatible receivers. While Netrino does mention content customization, there is no disclosure of the means for performing that customization. Netrino at p. 7 states that “a broadcaster could insert ATVEF content on a national scale, a local cable operator could add

ATVEF content relation to local markets and an automated profiler in your receiver can figure out which specific content would most appeal to you, and display it. National news broadcasters will now have the ability to provide local headlines.” However, there is not even a hint in Netrino how such content customization is to be performed. There is no mention in Netrino of meta data parameters and certainly no mention of the extraction and comparison of the parameters described in the claims (a priority level parameter, a geographical region parameter, or a unique processor identification parameter). Netrino neither discloses nor suggests what is described by the claims.

Applicants respectfully submit that the subject matter of independent claims as amended is neither disclosed nor suggested by Hendricks or Netrino, and an early Action allowing claims 1-56 is solicited.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 559442001400.

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